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Name: **Examiner: Alissa L. Hoey**
Art Unit: 3765

Company: **United States Patent and Trademark Office**

Fax Number: **1-703-872-9306**

From: **Julie A. Hopper, Reg. No. 50,869 / C. M. McClure**

Today's Date: **Tuesday, July 05, 2005**

File No.: **81687/7734**

Pages: **Nineteen (19) (including this cover sheet)**

Attached please find the following documents in connection with U.S. Application No. 10/772,766, filed February 4, 2004.

- Transmittal Form (1 sheet);
- Amendment and Response (17 pages);

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PTO/SB/21 (09-04)

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 19

Application Number	10772,765
Filing Date	February 4, 2004
First Named Inventor	Joaquin ROMAY
Art Unit	3765
Examiner Name	Alissa L. Hoey
Attorney Docket Number	61687/7734

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fitch, Even, Tabin & Flannery		
Signature			
Printed name	Julie A. Hopper		
Date	July 5, 2005	Reg. No.	50,869

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature 

Typed or printed name

Julie A. Hopper

Date 5 July 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. 81687/7734

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/772,766	<u>CERTIFICATE OF FACSIMILE TRANSMISSION</u>
Applicant(s):	Joaquin Romay	I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306, on this date.
Filed:	February 4, 2004	
Title:	TOE SOCK	
Examiner:	Hoey, Alissa L.	
Art Unit:	3765	7/5/05  Julie A. Hopper

AMENDMENT UNDER 37 C.F.R. § 1.111
IN RESPONSE TO OFFICE ACTION MAILED APRIL 5, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed April 5, 2005,
Applicants provide the following remarks: